

APPLICATION GRANTED

SO ORDERED

Vern Bro

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VERNON S. BRODERICK

U.S.D.J. 9/5/2023

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Given the parties' agreement, U.S. Bank is relieved of the obligation to submit a revised bill of costs. The Clerk of Court is respectfully directed to close this case.

mber 1, 2023

VIA ECF

Hon. Vernon S. Broderick
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 415
New York, NY 10007

Re: *Phoenix Light SF DAC, et al. v. U.S. Bank National Association*,
Case No. 14-cv-10116

Dear Judge Broderick:

The parties in the above-captioned case write jointly regarding the Court's Opinion & Order on U.S. Bank National Association's Motion for Review of Clerk's Decision on Taxation of Costs. [ECF No. 461]. The pending issue of taxation of costs is the last remaining issue in this case. Your Honor ordered U.S. Bank to submit to the Clerk a revised application to tax costs consistent with the Opinion & Order by October 4, 2023. [*Id.*]. Following Your Honor's instruction, and based on it, however, the parties reached an agreement to resolve the taxation of costs without the further involvement of the Clerk or the Court. In the interest of judicial economy, we request that Your Honor order the matter closed in recognition of the parties' agreement.

The Clerk initially granted taxation of costs in favor of U.S. Bank against Plaintiffs in the amount of \$5,193.50. [ECF No. 451]. U.S. Bank moved for review [ECF No. 452], and the Court granted in part and denied in part U.S. Bank's motion. [ECF No. 461]. U.S. Bank has calculated that its taxable costs, consistent with the Court's Opinion & Order, are \$47,001.00.

Counsel for U.S. Bank inquired with Plaintiffs' counsel whether Plaintiffs would agree to pay \$47,000.00 without U.S. Bank submitting an updated Bill of Costs. Plaintiffs agreed. U.S. Bank has provided Plaintiffs with payment direction, and Plaintiffs will send such payment imminently. Accordingly, we request that the matter be ordered closed.

Very truly yours,

JONES DAY

Hon. Vernon S. Broderick
September 1, 2023
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By: /s/ Steven S. Fitzgerald

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